

DOCKET NO.: ELSE-0818

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Rodney C. Hemminger, et al.

Confirmation No.: 4421

Application No.: 10/618,129

Group Art Unit: 2829

Filing Date: July 11, 2003

Examiner:

For: APPARATUS FOR METERING AT LEAST ONE TYPE OF ELECTRICAL  
POWER OVER A PREDETERMINED RANGE OF SERVICE VOLTAGES

DATE OF DEPOSIT: December 22, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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TYPED NAME: Vincent J. Roccia  
REGISTRATION NO.: 43,887

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☒ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☒ Copies of reference numbers **236-278** listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).


☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-

3050. This form is submitted in duplicate.

Date: **December 22, 2004**



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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. <b>ELSE-0818</b>	Application No. <b>10/618,129</b>
		Applicant <b>Rodney C. Hemminger, et al.</b>	
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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	236	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Videotaped Deposition of Mark L. Munday, Thursday July 25, 2002, 1-226 pages</b>	
	237	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Fred F. Schleifer, August 6, 2002, 1-168</b>	
	238	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Rodney Hemminger, Friday August 9, 2002, 253 pages</b>	
	239	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Scott Holdsclaw, Volume 1, August 21, 2002, 1-168 pages</b>	
	240	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Scott Holdsclaw, Volume II, August 22, 2002, 160-341</b>	
	241	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, Continuation <b>Deposition of Scott Holdsclaw, Volume III, September 12, 2002, 1-154</b>	
	242	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Continuation Deposition of Rodney Hemminger, September 13, 2002, 115 pages</b>	
	243	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Videotaped Deposition of Raymond Schmitt, Wednesday October 2, 2002, 98 pages</b>	
	244	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Proposed Claims Construction for Disputed Terms of Schlumberger Patents, October 29, 2002, 1-24</b>	
	245	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Oral Videotape Deposition of James K. Roberge, Wednesday November 6, 2002, 1-238</b>	
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	<b>246</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Proposed Claim Constructions of ABB Asserted Patent Claims, October 29, 2002, 16 pages</b>
	<b>247</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Proposed Claim Constructions of Schlumberger Asserted Patent Claims, November 1, 2002, 18 pages</b>
	<b>248</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Proposed Claims Construction for Disputed Terms of ABB Patents, November 4, 2002, 16 pages</b>
	<b>249</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Invalidity of Asserted Claims in U.S. Patent No. 5,621,629, December 5, 2002, 24 pages</b>
	<b>250</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent No. 5,903,145, December 5, 2002, 29 pages</b>
	<b>251</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent No. 5,555,508, December 5, 2002, 18 pages</b>
	<b>252</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent No. 5,548,527, December 5, 2002, 12 pages</b>
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	<b>253</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's "Markman" Claim Construction Brief for U.S. Patent NO's 5,457,621, 5,621,629, 5,903,145, 5,555,508, 5,548,527, December 5, 2002</b>
	<b>254</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Claim Construction Brief for U.S. Patent Nos. 5,469,049, 5,631,554, 5,010,335, 4,509,128, 4,697,180, December 6, 2002</b>
	<b>255</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Joint Claim Construction Statement of ABB Asserted Patent Claims, December 6, 2002, 14 pages</b>
	<b>256</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Joint Claim Construction Statement of Schlumberger Asserted Patent Claims, December 6, 2002, 33 pages</b>
	<b>257</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Partial Summary Judgment Regarding Damages, December 6, 2002, 14 pages</b>
	<b>258</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent NO. 5,621,629, December 5, 2002, 14 pages</b>
	<b>259</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b>
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	<b>260</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Memorandum Regarding Claim Construction of the Schlumberger Patents, December 6, 2002,</b>
	<b>261</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix in Support of ABB'S Memorandum Regarding Claim Construction of the Schlumberger Patents, December 6, 2002,</b> With attached Exhibits 1 thru 21
	<b>262</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume I, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 1 thru 6
	<b>263</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume II, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 7 thru 8
	<b>264</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume III, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 9 thru 10
	<b>265</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume IV, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 11 thru 24
	<b>266</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Motion for Summary Judgment of Invalidity of the Asserted Claims in U.S. Patent No. 5,457,621, December 6, 2002,</b> 15 pages
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	<b>267</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Invalidity of the Asserted Claims in U.S. Patent No. 5,457,621, December 6, 2002, 15 pages</b>	
	<b>268</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Invalidity of Asserted Claims in U.S. Patent No. 5,621,629, December 6, 2002, 24 pages</b>	
	<b>269</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Motion for Summary Judgment of Literal Infringement of ABB's 621, 629, and 145 Patents and Summary Judgment of No Invalidity of All the ABB Patents in Suit, December 6, 2002, 5 pages</b>	
	<b>270</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Memorandum in Support of its Motion for Summary Judgment of Literal Infringement of ABB's 621, 629, and 145 Patents and Summary Judgment of No Invalidity of All of the ABB Patents, December 6, 2002, With Attached Exhibits A, 1 thru 22</b>	
	<b>271</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Reply in Support of its Motion for Summary Judgment, January 15, 2003, 19 pages</b>	
	<b>272</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumbergers's Reply Brief to ABB's "Combined Opposition to Schlumberger's Eight Motions for Summary Judgment", January 15, 2003, 24 pages</b>	
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	<b>273</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Memorandum Order-Construing Disputed Claim Language in United States Patent Nos: 5,457,621, 5,621,629, 5,903,145, 5,555,508 and 5,548,527, March 27, 2003</b>
	<b>274</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Order-Granting in part, Denying in Part, March 27, 2003, 3 pages</b>
	<b>275</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Motion for Reargument and Reconsideration of the Construction of the "Logic For" Limitations of Schlumberger's 049 and 554 Patents, April 9, 2003, With attached Exhibits 1 thru 7,</b>
	<b>276</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Motion for Reargument and to Alter Judgment with Respect to the March 27, 2003 Opinion and Order Granting Summary Judgment of Invalidity of Claims 1 and 13 of the 621 Patent and the Court's Construction of the Phase "A Controller... Generating said Control Signal in Response to the Output of Said Power Supply", April 9, 2003, With Attached Exhibits 1 thru 3</b>
	<b>277</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Order-Plaintiff's Motion for Reargument or Reconsideration is Denied, April 10, 2003, 2 pages</b>
	<b>278</b>	In the United States Court of Appeals for the Federal Circuit, 04-1052, DCT-01-CV-77, <b>Notice of Entry of Judgment Accompanied by Opinion, Decided July 30, 2004, 12 pages</b>
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